



Land Development News

County of San Diego
Department of Public Works
July 2009

Terry Connors, County Surveyor

The Department of Public Works' (DPW) Land Development Division is watching a very important piece of proposed legislation; AB-333. AB-333, as introduced, is proposed to extend the expiration date of tentative maps by 72 months. This bill largely replicates the language in last year's senate bill SB1185. However, this bill includes additional provisions relating to the conditions that cities and counties can place on building permits for five years following approval of a tentative map. This reduces the period of time during which cities and counties are prohibited from placing specified conditions on the issuance of any building permit from five to three years. In addition, it states that prohibition does not apply to specified permit fees, this bill attempts to mitigate some of the impacts of repeated subdivision and parcel map extensions on cities and counties.

The bill was amended on April 23, 2009 to propose only a 24-month extension. A 2/3 vote was also required and the bill was labeled as urgency legislation so that it could take immediate effect. It was further amended on May 4, 2009 strengthening urgency language.

As of July 2, 2009, the bill was ordered to a special consent calendar. With the present day turmoil in Sacramento, it is unlikely that any action will be taken prior to an agreement on the state budget.

Lee Shick, DPW Project Manager

Project Cost Tracking and Deposits:

Work completed by DPW staff on private development projects is full cost recovery to the applicant. Initial submittal of plans and maps require an initial deposit as established under the County Fee and Deposit Ordinance and as shown in the applicable fee and deposit schedule category. The following is a link to the Ordinance and Fee and Deposit Schedule:

<http://www.sdcounty.ca.gov/dpw/land/deposits.html>

When reviewing the plan and/or map, during the initial or any subsequent submittal, DPW staff will generate a cost estimate of anticipated charges to complete the project under normal circumstances. An additional deposit may be necessary to complete or continue work by County staff. Accounts with inadequate funds on-hand will result in a stoppage of work on the project until an adequate deposit of funds is processed.

In working with Industry, DPW established the following new procedure for subsequent deposits:

1. When DPW completes a plan/map review, DPW will provide a cost estimate for the next review. This cost estimate will be written on the plans and transmittal letter. At the next submission, the applicant will bring in the plans/transmittal letter and provide enough funds to ensure the estimated amount is provided. If the account is in deficit,



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- the applicant must provide enough funds to pay off the deficit plus the estimated cost for the next review.
2. Since this procedure will take time to work into the system, for plans and maps that are submitted without a DPW cost estimate for the next review, a minimum deposit of \$1,200 will be required.
 3. In such instances where an applicant believes the required deposit of \$1,200 is excessive, the applicant is encouraged to coordinate with the DPW Team Leader/Land Development Manager (i.e. formerly called "Project Managers") in advance to determine a lower, reasonable amount. Applicants may also deposit more than \$1,200 if they believe \$1,200 is not enough to cover their entire review.
 4. For plan changes, record plan, or map modifications, these submittals will continue to require full Board-approved initial deposit amounts since these products are considered initial submittals under the Ordinance and Schedule.

Derek Gade, PDCI DPW LUEG Program Manager

Private Development Construction Inspection – Inspector Contact Information

In an effort to reduce costs for our team, we have decided to remove all desk phones for field-level construction inspectors. Based upon this immediate change, the attached list provides new primary contact information (cellular phone numbers). Also included is the entire list for the Private Development Construction Inspection (PDCI) staff. Please disregard any previous contact information for our team. We will continue to strive to answer phone calls and return messages promptly in order to best serve our customers.

Plan Change Thresholds For Work in Construction

Questions continue to arise on how to handle plan changes on projects in construction. Attached is a guide that is used to help determine if pending changes will require a formal plan change approval from DPW, or if the change can be made as part of the record plan process. Any pending changes to the plan shall be reviewed with the project inspector before the work occurs. They can assist in directing you to the correct process.

We have seen too many situations where the work performed is significantly different from the approved plan without a plan change and the project inspector was not informed of this change. We will be looking at these cases closer as they are identified and take appropriate enforcement action to ensure that these changes are communicated with the project inspector and concurrences are received before the work occurs in the field.

If you have any questions, please contact the PDCI counter at (858) 694-3165, via email grading@sdcounty.ca.gov, or in person at our counter. You can view additional information at our website at www.sdcounty.ca.gov/dpw/land/pdci.

Attachment:

Guidelines for GRADING Substantial Conformance. These Guidelines are for use in determining when actual ground grading is to be considered **NOT** in substantial conformance with an approved Grading Plan. These Guidelines are meant to help define the expectations for how final ground grading will occur. DPW reserves the right to hold specific areas within the graded area to higher tolerances than those listed below if circumstances warrant such action. Any changes that exceed any of these tolerances



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will require the Permittee to process a Plan Change prior to proceeding with the work. Should DPW Inspection Staff visually detect grading which appears to exceed these tolerances, the Permittee and/or the Supervising Engineer will be requested to verify the actual ground conditions, a Notice of Violation will be issued for grading outside the tolerances and may result in a Notice to Stop Work until a Plan Change is processed.

GRADING CHANGES THAT REQUIRE A PLAN CHANGE

1. Grading footprint of the disturbed area measured in square feet exceeds that shown on the approved plans by more than 5% or 300 square feet (whichever is greater)
2. Actual grading quantities exceed those shown on the approved plans by more than 10% or 300 cubic yards (whichever is greater)
3. Internal slope heights/pad grades (cut or fill) differ from those shown on the approved plans by more than 2 feet (vertically)
4. Slope heights/pad grades (cut or fill) along the property line differ from those shown on the approved plans by more than 1 foot (vertically)
5. Any grading into stream or drainage thread not shown on approved plan
6. Any grading into any existing or proposed Open Space (including recreational), not shown on approved plan
7. Any grading into Coastal Sage Scrub or within 250 feet of County mapped Coastal Sage Scrub not shown on approved plan
8. Installation of non-standard slope protection and/or planting for erosion control
9. Significant new evidence has been discovered, such as sensitive habitat, vernal pools, unstable soils, etc., that restricts construction per approved plans
10. Lot grading that will require a lot line adjustment by more than 2 feet horizontally
11. New or revised retaining structures or drainage facilities not as shown on approved plans
12. Any grading offsite or into an existing easement not shown on approved plan
13. Graded location of road has changed by more than 5 feet horizontally
14. Graded elevation for road improvements has changed by more than 2 feet vertically
15. Addition of new grading to support improvements or pads not shown on approved plans
16. Changes that will cause significant changes in the grading operations, lot lines, or road easements
17. Installation of utilities in roadways not shown on approved plans
18. Any grading that will result in requiring a change to a final map
19. Any addition or deletion of work that is subject to a condition of approval

Cid Tesoro, Flood Control DPW LUEG Program Manager

County of San Diego Flood Damage Prevention Ordinance Updating

The County of San Diego participates in the National Flood Insurance Program (NFIP) managed by the Federal Emergency Management Agency (FEMA). To qualify for flood insurance, new construction and substantial improvement to structures located in the Special Flood Hazard Area (SFHA) within the County must meet minimum standards established by the NFIP. Additionally, FEMA's Community Rating System (CRS) program enables communities to earn credits for tasks and activities above and beyond minimum NFIP standards. The County has been a participating member under the CRS since September 2007, and has twice successfully reduced insurance premiums in San Diego by five percent. To ensure that the County's Flood Damage Prevention Ordinance reflects the most current standards set forth by the NFIP and to implement higher regulations for development of new or substantially improved structures located within the SFHA, the County's DPW Flood Control Engineering Group has begun the process of updating the Flood Damage Prevention Ordinance.



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At a minimum, the NFIP regulations require new construction of structures and substantial improvements to existing structures be protected from the base flood (100-year flood). However, even with strict adherence to the minimum floodplain regulations, structures can still experience flood damage because:

- Flooding greater than the predicted base flood can occur;
- Increased urbanization and other changes in the watershed can increase flood levels; and
- Special flood-related hazards such as erosion and alluvial fans may be present

The NFIP encourages communities to address other concerns such as protecting natural and beneficial floodplain functions, health and safety, and critical facilities. The following higher standards are offered to the Board of Supervisors for consideration under the ordinance update:

Freeboard

Freeboard is a term used to describe an extra margin of protection, usually expressed in feet above the base flood elevation (BFE), for the purpose of floodplain management. The proposed freeboard requirement states that all new construction or substantial improvements of structures (including manufactured homes) shall have the lowest floor, including basement mechanical and utility equipment, and ductwork, but excluding garages used solely for vehicle storage, within the SFHA as shown on the FEMA FIRMs and/or the County Floodplain Maps be elevated at least 1 (one) foot above the BFE to account for:

- Future development in the floodplain;
- Uncertainties inherent with the methods for calculating the expected flood;
- Lack of data;
- Debris that accompanies the base flood and other natural disasters; and
- Floods higher than the base flood

Benefits of a freeboard requirement are:

- Prevent potential loss of life and property because elevated construction is safer during flood events;
- CRS Credit is awarded to the County. The amount of freeboard helps the County towards its effort to increase the overall flood insurance premium discount to all residents within the unincorporated areas

Increased Cost of Compliance (ICC) Coverage—Repetitive Loss Provisions

Increased Cost of Compliance (ICC) coverage is a provision in flood insurance policies that helps to pay for bringing a substantially damaged flooded building into compliance with the County's Flood Damage Prevention Ordinance. ICC coverage provides for payment of a claim to help cover the cost of compliance with community floodplain management ordinances after a flood in which a building has been declared substantially damaged or repetitively damaged.

When an insured building in the SFHA is damaged by a flood and the County declares the building to be substantially or repetitively damaged, ICC will help pay for the cost to elevate, flood-proof, demolish, or relocate the building up to a maximum of \$30,000. ICC is in addition to the building coverage for the repair of actual physical damage from flood under the policy. An ICC claim can be filed whether or not a community has received a Presidential disaster declaration.



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For property owners of a substantially damaged building or a repetitively damaged building to be eligible for an ICC payment, the County's definition of "substantial damage" in the Flood Damage Prevention Ordinance will be substantially as follows:

"Substantial damage" means:

- A. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred; or
- B. Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. This is also known as "repetitive loss"

The provisions above would allow flood insurance policy holders to have ICC coverage claims paid for both substantially damaged and repetitive loss situations. The \$30,000 insurance benefit can provide significant financial assistance in helping a property owner bring a building up to the County's floodplain management regulations.

On July 22, 2009, the County's Board of Supervisors (Board) will commence with the introduction, reading of the title and waiver of further reading of the update to the Flood Damage Prevention Ordinance. On August 5, 2009, the Board will consider the ordinance for adoption.

Guidelines for GRADING Substantial Conformance

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DEPARTMENT OF PUBLIC WORKS

PRIVATE DEVELOPMENT CONSTRUCTION INSPECTION

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Web Site: <http://www.sdcounty.ca.gov/dpw/land/pdci.html>

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|-----------------------|----------------------|--------------|--|----------------------------|
| Gade, Derek | Public Works Mgr. | 858 514-4673 | Derek.Gade@sdcounty.ca.gov | All |
| Gundert, Glen | Sr. Civil Engr. | 858 694-3172 | Glen.Gundert@sdcounty.ca.gov | East and South |
| Thomas, John | Sr. Civil Engr. | 858 694-2841 | John.Thomas2@sdcounty.ca.gov | North and Central |
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| Walker, Sandy | Const Tech. | 858 232-6837 | Sandra.Walker@sdcounty.ca.gov | North and Central |